



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/768,196	01/22/2001	Ronald J. Lebel	047711-0221	1919

7590 09/03/2008
TED R. RITTMASER
FOLEY & LARDNER
SUITE 3500
2029 CENTURY PARK EAST
LOS ANGELES, CA 90067-3021

EXAMINER

DESANTO, MATTHEW F

ART UNIT	PAPER NUMBER
----------	--------------

3763

MAIL DATE	DELIVERY MODE
-----------	---------------

09/03/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address : COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09768196	1/22/01	LEBEL ET AL.	047711-0221

TED R. RITTMASER
FOLEY & LARDNER
SUITE 3500
2029 CENTURY PARK EAST
LOS ANGELES, CA 90067-3021

EXAMINER

MATTHEW F. DESANTO

ART UNIT	PAPER
3763	20080902

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The reply brief filed 6/13/08 has been noted.

The examiner has read through the reply brief and has a different interpretation of the prior art and the claim language. With regards to Moon et al. USPN 6,211,858, the examiner interprets the meters as small applications as disclosed by Moon et al. in column 2, lines 30-50, which could be programmable options or any small application that are used in microprocessors, since Moon et al. also discloses using windows or similar computer programming software (column 1). Therefore the examiner maintains his rejection based on the interpretations of the claims and the prior art as previously stated in the last office action and the examiner answer.

/Matthew F DeSanto/
Primary Examiner, Art Unit 3763